

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nicholas M. VALIANTE, Jr.

Application No.: 10/814,480

Confirmation No.: 9427

Filed: March 29, 2004

Art Unit: 1617

For: USE OF SMALL MOLECULE COMPOUNDS
FOR IMMUNOPOTENTIATION

Examiner: Y. S. Chong

PRELIMINARY AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the final Office Action dated June 24, 2008, and the Notice of Panel Decision from Pre-Appeal Brief Review mailed November 3, 2008, for which a response was due on December 3, 2008. This response is being filed with a Request for Continued Examination and a petition and fee for a five-month extension of time, thereby extending the deadline to respond to May 3, 2009. As May 3, 2009 fell on a Sunday, this response is filed on the next business day, Monday, May 4, 2009. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.